

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

ORDER

-against-

13-CV-5584 (RRM)

CKB168 HOLDINGS, LTD., et al.,

Defendants.
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In a letter dated September 9, 2014, defendants Toni Chen and Heywood Chang, who reside together in California with their two minor children, request that the Court excuse defendant Heywood Chang's personal appearance at the settlement conference currently scheduled for October 30 and 31, 2014. See Letter Motion to Appear by Telephone (Sept. 9, 2014), Electronic Case Filing Docket Entry ("DE") #163. The reasons proffered for the request are the financial burden of having to pay travel expenses for two, and the need for one parent to remain in California with their children. See id. Significantly, a similar letter filed with the Court the previous day represented that defendant Chen "has the primary responsibility of taking care of the children," Motion to Appear by Telephone (Sept. 8, 2014) at 1, DE #161, and that, if excused from appearing, "[s]he will grant the full authority to counsel and Heywood Chang" to engage in settlement discussions, id. at 2.¹ No such assurances are provided in the renewed motion filed on September 9, 2014.

The September 9th motion is denied. However, the Court is prepared to excuse

¹ The September 8th application was denied without prejudice for failure to set forth the SEC's position on the motion. See Endorsed Order (Sept. 8, 2014), DE #162.

defendant Chen from personally appearing, on the following conditions: (1) She must participate by phone; and (2) she must furnish her counsel of record and/or defendant Chang with a full power of attorney to settle the case on her behalf.

SO ORDERED.

**Dated: Brooklyn, New York
September 26, 2014**

/s/ Roanne L. Mann
ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE